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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/786,545	02/26/2004	Ichiro Harashima	H6808.0046/P046	3262
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DICKSTEIN SHAPIRO LLP				
1825 EYE STREET NW				
Washington, DC 20006-5403				
EXAMINER				
POLLACK, MELVIN H				
ART UNIT		PAPER NUMBER		
2445				
MAIL DATE		DELIVERY MODE		
05/22/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/786,545

Applicant(s)

HARASHIMA ET AL.

Examiner

MELVIN H. POLLACK

Art Unit

2445

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 March 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Individual Patent Application
- 6) ☒ Other: see attached office action

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(c), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(c) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 09 March 2009 has been entered.

Response to Arguments

2. Applicant's arguments with respect to claims 11-20 have been considered but are moot in view of the new ground(s) of rejection.
3. In the response to the last office action, the applicant changed the scope of the claims by replacing all the claims. The examiner has determined that the change in scope is materially sufficient to necessitate search and consideration of the added limitations and/or clarifications. The examiner acknowledges that no new matter has been added by this amendment.
4. The examiner will also interpret the claims in the light of the definitions included in the remarks and specification, particularly the narrowing definition of a unique ID as opposed to a file name (including path name).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 11-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yeung (7,171,468) in view of McKibben et al. (7,139,761).
7. For claims 11, 17, Yeung teaches a method and apparatus (abstract) for managing files in a file management system comprising a plurality of user terminals and a file management apparatus for managing file transfer actions among said plurality of user terminals (col. 1, line 1 – col. 4, line 67; col. 32, lines 47 – 52), said method comprising the following steps which are performed by said file management apparatus:
 - a. upon entry of a file to be made open from at least one of said plurality of user terminals, assigning an ID to identify said file, and storing a combination of said ID of said file and a sub-ID to identify a delivery action of said file in the past into a file transfer actions database (col. 15, line 45 – col. 17, line 65),
 - b. wherein, after said combination is stored into said file transfer actions database, if it is found that a transfer of said file was performed at least between two user terminals among said plurality of user terminals (col. 5, line 1 – col. 6, line 60), said file management apparatus stores and manages a sub-ID of a transmitting-end user terminal and a sub-ID of a receiving-end user terminal, on said file transfer actions database (col. 18, lines 50 – 55).
8. Yeung does not expressly disclose that the ID is a unique ID as defined in the specification. McKibben teaches a method and system (abstract) of file management (col. 1, line 1 – col. 6, line 15; col. 20, lines 47 – 60) that includes this limitation (col. 9, line 50 – col. 10, line 40). At the time the invention was made, one of ordinary skill in the art would have added

McKibben IDs to Yeung's system in order to improve file transfer transactions (col. 3, line 60 – col. 4, line 5).

9. For claims 12, 18, Yeung teaches storing history information about the transfer actions of said file, which has been stored into said file transfer actions database, into said file transfer actions database, said history information corresponding to said unique ID (col. 9, line 50), wherein said history information comprises at least one of the following: a user ID to identify a user that requested the file transfer action, an activity to indicate the type of the file transfer action, a file name assigned to the file, a time and a date when the file transfer action was performed, contents information to describe contents of the file, and a file type to indicate the type of the file (col. 11, line 30 – col. 12, line 10).

10. For claims 13, 19, Yeung teaches a method for visualizing file transfer actions, said method comprising the following steps which are performed by said file management apparatus:

- a. accepting a visualization request to visualize transfer actions of a file (col. 21, lines 15-30);
- b. retrieving data corresponding to file transfer actions having a unique ID of said file specified by said visualization request, from said file transfer actions database (col. 15, line 45 – col. 17, line 65);
- c. creating a flow model of a tree structure (col. 10, lines 15 – 55) in which a tree is formed by connecting file transfer action data with the sub-ID of said transmitting-end user terminal to file transfer action data with the sub-ID of said receiving-end user terminal, the root of the tree being data corresponding to the initial file load action (col. 18, lines 50 – 55); and

- d. presenting said flow model (col. 21, line 15 – col. 29, line 35).
11. For claims 14, 20, Yeung teaches that said file management apparatus, in presenting said flow model, presents a directed graph with nodes of sub-IDS from said file transfer actions data, a link between two nodes being represented by an arrow-line indicating the direction from the source to the destination of file transfer (col. 21, line 15 – col. 29, line 35).
12. For claim 15, Yeung teaches that said file management apparatus presents said flow model as a time sequence list display (col. 21, line 15 – col. 29, line 35) in which file transfer actions are arranged in time sequence in which the actions were performed (col. 9, line 50).
13. For claim 16, Yeung teaches that said method comprising the following steps which are performed by said user terminals:
- a. extracting the unique ID of a file whose transfer actions are to be visualized (col. 15, line 45 – col. 17, line 65);
 - b. retrieving data corresponding to file transfer actions relevant to said unique ID in time sequence, from said file transfer actions database (col. 11, line 30 – col. 12, line 10);
 - c. creating a flow model from the data, according to the sequence of said file transfer actions in time sequence (col. 10, lines 15 – 55); and
 - d. presenting said flow model (col. 21, line 15 – col. 29, line 35).

Conclusion

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MELVIN H. POLLACK whose telephone number is (571)272-3887. The examiner can normally be reached on 8:00-4:30 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on (571) 272-3868. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Melvin H Pollack/
Examiner, Art Unit 2445
19 May 2009